

COUNTRY LANE FURNITURE and : IN THE COURT OF COMMON PLEAS OF
ANNVILLE ASSOCIATES, LP, : LEBANON COUNTY, PENNSYLVANIA
:
Vs. : CIVIL ACTION – LAW
:
NORTH ANNVILLE TWP. ZONING : CASE NO. 2024-CV-0637
HEARING BOARD :

TO: NORTH ANNVILLE TOWNSHP ZONING HEARING BOARD:

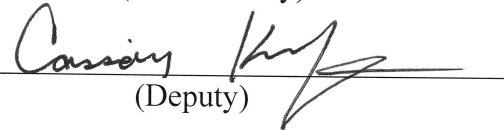
YOU ARE HEREBY NOTIFIED THAT COUNTRY LANE FURNITURE and ANNVILLE ASSOCIATES, LP have filed the attached Appeal in THE COURT OF COMMON PLEAS OF LEBANON COUNTY on April 11th, 2024 and you are hereby commanded to file within twenty (20) days after receipt of this notice and writ, the entire record in the above matter certifying the same to the court in accordance with Section 1008 of the Pennsylvania Municipal Planning Code.

Dated at Lebanon, Pennsylvania, This 12th day of April, 2024.

(SEAL)



(Prothonotary)

By: 
(Deputy)

.....
TO THE COURT OF COMMON PLEAS OF LEBANON COUNTY:

The record aforementioned, with all things touching the same so full and Entire as before this board they remain, I hereby respectfully certify and send, as within I am commanded together with this writ.

PLEASE RETURN COPY OF WRIT SIGNED WITH RECORD

Andrew J. Race, ID #318622
Moore Ingram Johnson and Steele LLP
101 Erford Road, Suite 300
Camp Hill, PA 17011
PH: (717) 790-2854
EM: ajrace@mijls.com

ENTERED & FILED
PROTHONOTARY OFFICE
LEBANON, PA

2024 APR 11 P 3:16

Counsel for Appellant, Country Lane Furniture

COUNTRY LANE FURNITURE and ANNVILLE ASSOCIATES, LP, Appellants	:	IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY, PENNSYLVANIA
	:	
Vs.	:	CIVIL ACTION - LAW
	:	
NORTH ANNVILLE TWP. ZONING HEARING BOARD, Appellee	:	No. 2024- <u>CV-0637</u>

NOTICE OF LAND USE APPEAL

AND NOW, come Appellants, by and through their counsel, Andrew J. Race, Esquire, and hereby present the following Land Use Appeal, appealing the Decision of the Zoning Hearing Board of North Annville Township, Lebanon County, Pennsylvania, and in support thereof states as follows:

1. Appellants, Country Lane Furniture and Annville Associates, LP are the owners and operators a furniture store situate at 10 Nathan Lane, Annville, PA 17003 (the Premises).
2. The Premises is located in the C General Commercial District.
3. The subject property upon which the Premises is located is a 6.98 acre parcel.
4. Appellants propose two buildings additions, one being 24,750 square feet on the north side and the second being 4,983 square feet on the west side of the existing structure.
5. Appellants sought a dimensional variance from North Annville Twp Zoning Ordinance Article IV, Section 404.3, Lot and Yard Requirements to allow an additional 10.2 % of lot

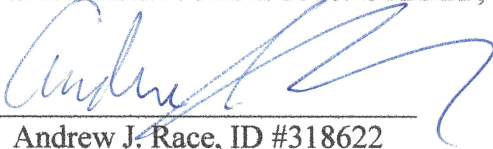
coverage over the 50% coverage limitation. In short, Appellants sought permission to be 30,906 square feet over the 50% maximum allowance.

6. By way of alternative argument, Appellants argue that 10.2 % meets the “de minimus” variance requirements and should be granted.
7. A hearing was held before the North Annville Twp Township Zoning Hearing Board.
8. At the conclusion of the hearing, the Zoning Hearing Board Denied the variance requested.
9. By written decision dated March 14, 2024, the Zoning Hearing Board DENIED the Request for Variance in its entirety. A true and correct copy of the Written Decision of the North Annville Township Zoning Hearing Board is attached hereto and incorporated herein as Exhibit A.
10. The North Annville Township Zoning Hearing Board’s Denial of the Zoning Appeal was arbitrary, capricious, an abuse of discretion, and otherwise contrary to established law for the following reasons:
 - a. The Zoning Hearing Board failed to apply the requisite elements of a de minimis variance;
 - b. The Zoning Hearing Board abused its discretion in considering stormwater as a reason to deny the appeal;
 - c. The Zoning Hearing Board failed to properly apply the dimensional variance criteria and required Appellant to prove hardship, an element not required ;
 - d. The Zoning Hearing Board committed an error of law when they improperly considered Appellants’ request for a dimensional variance, as set forth in *Hertzberg v. Zoning Board of Adjustment of Pittsburgh*, 721 A.2d 43 (Pa. 1998).
 - e. The Zoning Hearing Board committed an error of law in its application of the *de minimus* standard for a zoning variance.

WHEREFORE, Appellants, request that this Honorable Court reverse the action of the North Annville Township Zoning Hearing Board and GRANT Appellants' Application for a Variance.

Respectfully submitted,

MOORE INGRAM JOHNSON & STEELE, LLP

By: 
Andrew J. Race, ID #318622
Counsel for Appellants

Date: April 10, 2024

In Re: : THE ZONING HEARING BOARD OF
: NORTH ANNVILLE TOWNSHIP
COUNTRY LANE FURNITURE AND :
ANNVILLE ASSOCIATES, L.P. :
PETITION FOR VARIANCE : LEBANON COUNTY, PENNSYLVANIA
:
: CASE # 1-23

**DECISION OF THE ZONING HEARING BOARD
OF NORTH ANNVILLE TOWNSHIP**

I. INTRODUCTION

The Zoning Hearing Board of North Annville Township (hereinafter "ZHB"), Lebanon County, Pennsylvania, met on Tuesday, February 6, 2024 at a duly advertised public session to hear a Petition for Variance submitted by related entities, Country Lane Furniture (lessee) and Annville Associates, L.P. (legal owner).

II. FINDINGS OF FACT

1. The Petitioners are Country Lane Furniture and Annville Associates, L.P., with an address of 10 Nathan Lane, Annville, PA 17003. (Hearing Exhibit 1).

2. Annville Associates, L.P. is the owner of the property located at GPIN #25-2306286-363753, 10 Nathan Lane, Annville, PA 17003 (hereinafter the "Subject Property") (Hearing Exhibit 1, 2).

3. Country Lane Furniture is a family-owned business that sells furniture and operates a retail store at the Subject Property. (Hearing Testimony).

EXHIBIT A

4. The Subject Property is located in the C General Commercial District. (Hearing Exhibit 1).
5. The Subject Property is improved and has an existing building containing 61,649 square feet. (Hearing Exhibit 1).
6. The Subject Property is a 6.98-acre parcel. (Hearing Exhibit 8).
7. Petitioners propose to construct two building additions—one being 24,750 square feet on the north side of the existing building and the other being 4,983 square feet on the west side of the existing building. (Hearing Exhibit 1).
8. In addition, Petitioners propose to pave 8,311 square feet on the northeast side of the existing building. (Hearing Exhibit 1).
9. A dimensional variance is being sought pursuant to North Annville Township Zoning Ordinance Article IV, Section 404.3, Lot and Yard Requirements, to allow for a variance that would allow the maximum lot coverage to be 60.2% in lieu of the maximum lot coverage allowance of 50%. (Hearing Exhibits 1, Hearing Testimony).
10. The proposed additions would put the lot coverage at 182,954 square feet, which is 30,906 square feet over the maximum coverage area permitted by ordinance. (Hearing Exhibit 1, Hearing Testimony).
11. Petitioners are represented by Andrew J. Race, Esquire. (Hearing Testimony).
12. Petitioners presented three witnesses: Scott Weaver, part-owner of Country Lane Furniture; Anthony Hostetter with Hoover Building Specialists; and Josh Weaber, Professional Engineer with Chrisland Engineering. (Hearing Testimony).

13. Scott Weaver began his testimony with a brief history of Country Lane Furniture and their expansion from a store on 1200 East Main Street, Annville, Pennsylvania to its operation at the Subject Premises. (Hearing Testimony).

14. Mr. Weaver explained that Country Lane Furniture moved its operation to the Subject Premises in 2015 after the initial structure was built. (Hearing Testimony).

15. In 2018, there was an expansion to the rear of the building. (Hearing Testimony).

16. Mr. Weaver testified that Country Lane Furniture is seeking to expand the structure again by adding 24,750 square feet on the north side of the existing building for storage and warehousing purposes and by adding 4,983 square feet for retail space. (Hearing Testimony).

17. Mr. Weaver testified that the need for the expansion is because they are projecting toward growth. (Hearing Testimony).

18. Country Lane Furniture's store hours are Monday, Wednesday, Friday 9:00 a.m. to 5:00 p.m.; Tuesday and Thursday 9:00 a.m. to 8:00 p.m.; Saturday 9:00 a.m. to 4:00 p.m.; and closed on Sunday. (Hearing Testimony).

19. The only manufacturing that occurs on the Subject Property is slab work and live edge epoxy work. (Hearing Testimony).

20. Delivery trucks bring deliveries to the store about three to five times per week. (Hearing Testimony).

21. The Subject Premises is surrounded by an empty lot to the West, Urgent Care to the East, and an empty lot behind the Subject Property. (Hearing Testimony).

22. There are also warehouses to the South and a Rutter's across the street. (Hearing Testimony).

23. Anthony Hostetter of Hoover Building Specialists testified that Hoover Building Specialists was previously involved in expansion work for Country Lane Furniture in 2018. (Hearing Testimony).

24. Mr. Hostetter testified that the proposed expansion would use the same building material. (Hearing Testimony).

25. Mr. Hostetter also explained that the proposed expansion would include paving the East side of the building and the truck access to the new docks. (Hearing Testimony).

26. The height of the proposed expansion would match the height of the existing building. (Hearing Testimony).

27. Joshua Weaber, a Professional Engineer for Chrisland Engineering, testified that he had prepared a Zoning Variance Plan, Hearing Exhibit 7, for the Subject Property. (Hearing Testimony).

28. Mr. Weaber testified that the Preliminary/Final Land Subdivision & Land Redevelopment Plan of Infrastructure Improvements for Clear Spring Crossing Development, Hearing Exhibit 8, shows that stormwater management was taken into consideration prior to the development of the Subject Property and that the existing stormwater management could handle the proposed expansion. (Hearing Testimony).

29. Mr. Weaber testified that the existing stormwater management includes five (5) Rain Gardens, as outlined in Hearing Exhibit 7. (Hearing Testimony).

30. Mr. Weaber testified that the existing lot coverage for the Subject Property is at 49.4%. (Hearing Testimony).

31. Mr. Weaber testified that the proposed expansion would increase the lot coverage to 60.2%. (Hearing Testimony).

32. Maximum lot coverage is defined as “a percentage of lot area which may be covered by impervious material including roofs, drives, patios, walls, etc.” North Annville Township Zoning Ordinance Article II, Section 201.4, Definitions, Specific Terms.

33. A hearing to consider Petitioners’ request for a Variance was scheduled for Tuesday, February 6, 2024 at 6:30 p.m. at the Union Water Works Building, 2875 Water Works Way, Annville, PA 17003. (Hearing Exhibit 2).

34. Notice of the zoning hearing was duly advertised in the *Lebanon Daily News* on Tuesday, January 23, 2024 and Tuesday, January 30, 2024. (Hearing Exhibit 3).

35. Notice of the zoning hearing was sent to neighboring property owners by United States First Class Mail. (Hearing Exhibit 4).

36. Notice of the zoning hearing was posted on the Subject Property. (Hearing Exhibit 5).

37. The Petition for Variance was heard by the North Annville Township ZHB before Chairman, James Hoffman; Member, Paul Deshong; and Member, Gary Tshudy.

38. Present at the February 6, 2024 zoning hearing were:

James Hoffman, ZHB Chairman,

Paul Deshong – ZHB Member

Gary Tshudy – ZHB Member
Eric Brummer, ZHB Alternate Member
Scott Weaver – on behalf of Petitioners
Andrew Race, Esquire – Counsel for Petitioners
Anthony Hostetter – Hoover Buildings
Joshua Weaber – Chrisland Engineering
Randall Leisure – North Annville Township Supervisor
Benjamin Bow – North Annville Township Planning Commission
Chandra Tshudy – Township Resident
Brian Tshudy – Township Resident
Greg Hetrick – Zoning Officer, Lebanon County Planning Department
Kathy J. Sheffy, Court Stenographer
Roberta J. Santiago, Esquire – ZHB Solicitor

39. Mr. and Mrs. Tshudy expressed concerns over stormwater management.
(Hearing Testimony).

40. Counsel for Petitioners objected to the ZHB's consideration of stormwater concerns/questioning, citing that the issue need not be considered by the ZHB.
(Hearing Testimony).

41. The ZHB took the objection under advisement, but ultimately did not rely on the concerns expressed by Mr. and Mrs. Tshudy in making its decision.

42. The ZHB questioned Petitioners' witnesses about the setbacks, stormwater management, parking, and alternatives to paving.

43. The ZHB also questioned Petitioners about the variance criteria.

44. Petitioners admitted that the variance criteria could not be met, but that the request was one of a *de minimis* nature. (Hearing Testimony).

III. HEARING EXHIBITS

Hearing Exhibit 1 – Petition for Variance

Hearing Exhibit 2 – Notice of Public Hearing

Hearing Exhibit 3 – Proof of Publication in the *Lebanon Daily News* on January 23, 2024 and January 30, 2024

Hearing Exhibit 4 – Mailing List

Hearing Exhibit 5 – Posting photo on Subject Property on January 29, 2024

Hearing Exhibit 6 – Variance Criteria signed by representative of Petitioners

Hearing Exhibit 7 – Site Plan & other materials presented by Petitioners

Hearing Exhibit 8 – 2018 Preliminary/Final Land Subdivision & Land Development Plan, recorded in Plan Book 80, Page 152.

IV. DISCUSSION

Annville Associates, L.P. is the owner of a 6.98-acre property, 10 Nathan Lane, North Annville Township, Lebanon, Pennsylvania 17003, located at GPIN #25-2306286-363753 (hereinafter the "Subject Property"). The Subject Property is located in the C General Commercial Zoning District. The Subject Property is improved and has an existing building containing 61,649 square feet. Country Lane Furniture is a family-owned business that sells furniture and operates a retail store at the Subject Property. Country Lane Furniture is seeking to expand by adding 24,750 square feet on the north side of the existing building for storage and warehousing purposes and by adding 4,983

square feet for retail space. A Variance is being sought to Article IV, Section 404.3, to allow the allowable maximum lot coverage to exceed the 50% maximum lot coverage. See North Annville Township Zoning Ordinance Article IV, Section 404.3, Lot Area and Yard Requirements. Specifically, Petitioners propose that the impervious coverage be increased to 60.2% in lieu of the 50% permitted by ordinance. Maximum lot coverage is defined as "a percentage of lot area which may be covered by impervious material including roofs, drives, patios, walls, etc." North Annville Township Zoning Ordinance Article II, Section 201.4, Definitions, Specific Terms.

A Zoning Hearing Board may grant a variance when all of the following criteria are met, where relevant in a given case:

- (1) That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
- (2) That, because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (3) That such unnecessary hardship has not been created by the appellant.
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Pennsylvania Municipalities Planning Code, Section 910.2, 53 P.S. § 10910.2; see *also* Hearing Exhibit 6. North Annville Township Zoning Ordinance Article XI, Section 1106, adds that a variance may be granted provided that the additional findings are made, where relevant, in a given case:

(6) That the Variance, if authorized, will not confer on the petitioner any special privilege that is denied by this Ordinance to the owners of other lands, structures, or buildings in the same zoning district; and

(7) That nonconforming use of neighboring lands, structures, or buildings in the same district and permitted or nonconforming use of lands structures or buildings in other zoning districts shall not be considered grounds for the granting of a Variance; and

(8) That a Variance shall not be granted solely for financial reasons or to facilitate financial gain.

North Annville Township Zoning Ordinance Article XI, Section 1106, Variances.

“[A]n applicant must establish all elements to be entitled to a variance.” *Demko v. City of Pittsburgh Zoning Board of Adjustment*, 155 A.3d 1163, 1172 (Pa. Commw. Ct. 2017). “A dimensional variance involves a request to adjust zoning regulations to use the property in a manner consistent with regulations, whereas a use variance involves a request to use property in a manner that is wholly outside zoning regulations. The same criteria apply to use and dimensional variances.” *Dunn v. Middletown Township Zoning Hearing Board*, 143 A.3d 494, 501 (Pa. Commw. 2016).

A variance is the proper relief where an unnecessary hardship attends the property. *Yeager v. Zoning Hearing Board of the City of Allentown*, 779 A.2d 595, 598 (Pa. Commw. Ct. 2001). There is a more relaxed standard for establishing unnecessary hardship for a dimensional variance, as opposed to a use variance. See *Dunn*, 143 A.3d at 501.

"In general, unnecessary hardship may be shown by demonstrating either that physical characteristics of the property are such that the property could not be used for the permitted purpose or could only be conformed to such purpose at a prohibitive expense, or that the characteristics of the area are such that the lot has either no value or only a distress value for any permitted purpose." *Mitchell v. Zoning Hearing Board of the Borough of Mount Penn*, 838 A.2d 819, 828 (Pa. Commw. Ct. 2003). "Under *Hertzberg*, the courts may consider multiple factors in determining whether the applicant established unnecessary hardship for a dimensional variance, including the cost of the strict compliance with the zoning ordinance, the economic hardship that will result from denial of a variance, and the characteristics and conditions of the surrounding neighborhood." *Mitchell*, 838 A.2d at 828. "Although *Hertzberg* eased the requirements, it did not remove them. . . . An applicant must still present evidence as to each of the conditions listed in the zoning ordinance, including unnecessary hardship." *Dunn*, 143 A.3d at 501 (internal citations omitted). "Where no hardship is shown, or where the asserted hardship amounts to a landowner's desire to increase profitability or maximize development potential, the unnecessary hardship criterion required to obtain a variance is not satisfied even under the relaxed standard." *Dunn*, 143 A.3d at 501 (internal citations omitted).

Although zoning ordinances are to be liberally construed to allow for the broadest possible use of the land, the applicant seeking a variance bears a heavy burden. *See Borough of Latrobe v. Paul B. Sweeney*, 17 Pa. Cmwlth. 356, 359, 331 A.2d 925, 927 (1975) ("[P]ersonal and economic considerations are not sufficient grounds upon which to base the grant of a variance."). "It is the property that must be subject to the

hardship and not the person.” *Borough of Latrobe*, 17 Pa. Cmwlth. at 359, 331 A.2d at 927. “The reasons for granting a variance must be substantial, serious and compelling.” *Valley View Civic Association v. Zoning Board of Adjustment*, 501 Pa. 550, 555, 462 A.2d 637, 640 (Pa. 1983).

Evaluating each of the criteria required to grant a variance, the ZHB found that the Petitioners are not entitled to a variance. First, there are no unique physical circumstances or conditions that are peculiar to the Subject Property. Petitioners have presented no evidence that the Subject Property is irregular, narrow, or shallow in lot size or shape that results in unnecessary hardship. The hardship claimed by Petitioners is that they will not be able to expand its physical retail space and warehousing/storage space since it is already close to the maximum impervious coverage, permitted by ordinance. Even under a relaxed standard, this hardship “amounts to a landowner’s desire to increase profitability or maximize development potential,” which does not satisfy the criteria. Petitioners’ testimony was that the variance was needed to provide them with greater retail space and warehousing space, including docks for trucks. The testimony, presented by Petitioners, is that the business at Country Lane is doing well, and the expansion they are seeking is a bigger building to accommodate their business.

Second, a variance is not necessary to enable the reasonable use of the Subject Property since the Subject Property has already been developed and is already being used for its intended purpose—furniture retail operation, along with some warehousing/storage space. Based upon the brief testimony provided by Petitioners, it is not believed that the requested relief would alter the essential character of the neighborhood. There were concerns noted as to stormwater management by township

residents. Although these concerns were relayed by township residents and although the Petitioners presented twofold testimony that such concerns were not properly before the ZHB but that the stormwater management was already accounted for, the ZHB did not need to consider any testimony related to stormwater management because it found that Petitioners failed to present the evidence necessary to grant a variance. Finally, the ZHB found that the variance request to increase the maximum lot coverage to be 60.2% in lieu of the maximum lot coverage allowance of 50% did not represent the minimum variance that would afford relief and represent the least modification possible of the regulation in issue. Petitioners simply failed to produce evidence that the relief sought represented the minimum variance and least modification possible. Additionally, during its questioning of Petitioners, the ZHB found that Petitioners did not seem to have considered other options.

Petitioners have not established all the elements necessary to be entitled to a variance under the Pennsylvania Municipalities Planning Code, even under the relaxed standard and under the North Annville Zoning Ordinance. To grant such a variance without having met the necessary elements, would grant a special privilege to Petitioners that is denied to the owners of other lands, structures, or buildings in the same zoning district. Petitioners admitted that they would not be able to establish all the elements. Instead, Petitioners believed the request to be one under the *de minimis* doctrine.

“The *de minimis* doctrine is an extremely narrow exception to the heavy burden of proof which a party seeking a variance must normally bear. This exception may be applied where (1) only a minor deviation from the zoning ordinance is sought and (2)

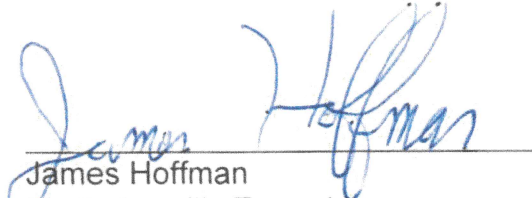
rigid compliance with the ordinance is not necessary for the preservation of the public interests sought to be protected by the ordinance. The determination of whether or not the *de minimis* doctrine applies requires careful consideration of both of these factors. Where the *de minimis* doctrine applies, there is no need to resort to any other theory of relief." *Pequea Township v. Zoning Hearing Board of Pequea Twp.*, 180 A.3d 500, 504 (Pa. Commw. Ct. 2018) (internal citations omitted).

"There are no set criteria for determining what will be considered *de minimis*." *Hawk v. City of Pittsburgh Zoning Board of Adjustment*, 38 A.3d 1061, 1066 (Pa. Commw. Ct. 2012). "Instead, the grant of a *de minimis* variance depends upon the circumstances of each case." *Hawk*, 38 A.3d at 1066. "[T]he decision of whether to grant a *de minimis* variance is left to the discretion of the local zoning board." *Alpine, Inc. v. Abington Township Zoning Hearing Board*, 654 A.2d 186, 191 (Pa. Commw. Ct. 1995).

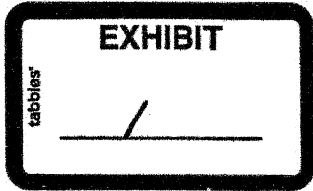
In the instant case, the ZHB considered the matter to be outside the scope of a *de minimis* variance. The ZHB felt that the proposed deviation sought by Petitioners, which is greater than 10%, is not *de minimis in nature*, as it is not a minor deviation from the zoning ordinance sought. Additionally, a proposed deviation, which is greater than 10% in this case, requires compliance for the preservation of the public interests sought to be protected by the ordinance. Therefore, the ZHB concluded that Petitioners are not entitled to a variance on a *de minimis* basis.

V. DECISION

Now, therefore, this 6th day of February, 2024, the Zoning Hearing Board of North Annville Township, by a 3-0 vote, hereby DENIES a variance to exceed the maximum allowable lot coverage to 60.2%,


James Hoffman
North Annville Township
Zoning Hearing Board, Chairman

Date: 3/13/2024



Variance
PETITION FOR APPEAL

BEFORE THE ZONING HEARING BOARD
OF NORTH ANNVILLE TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA

CASE # 1-23 DATE 12/15, 2023

APPELLANT/PETITIONER(S) Country Lane Furniture

ADDRESS 10 Nathan Lane, Annville, PA 17003

PROPERTY LOCATION 10 Nathan Lane, Annville, PA 17003

OWNER(S) Annville Associates, LP

ADDRESS 10 Nathan Lane, Annville, PA 17003

Reasons for Appeal/Petition:

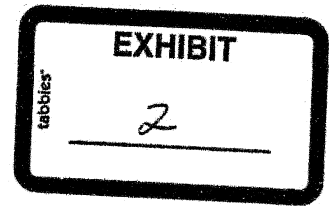
Appellant is Country Lane Furniture, situate in the General Commercial District of North Annville Twp. It has an existing building containing 61,649 square feet at the above premises. Appellant seeks a dimensional variance to section 404.3, lot area and yard requirements in order to construct two building additions; one being 24,750 square feet on the north side of the existing building and the other being 4,983 square feet on the west side of the existing building. In addition, proposed paving of 8,311 square feet is proposed on the northeast side of the existing building.

The proposed additions would put the lot coverage at 182,954 square feet, being 30,906 square feet over the maximum coverage area permitted by ordinance. The attached variance plan provides additional data on the variance being sought.

Fee of \$ ⁴⁰⁰400 received on 12/15/23 #²⁸³²⁰28385

I hereby certify the above to be correct and accurate. Furthermore, I waive my right to have a stenographic record of the hearing proceedings; in lieu thereof, I agree to the utilization of a sound recording tape to record the proceedings of the hearing. I further agree to payment of a fee of \$3.00 per page of hearing transcript, upon appeal of any decision in conjunction with this case and will pay the required minimum deposit fee.

JS Scott Weaver
Scott Weaver



NOTICE OF PUBLIC HEARING

The Zoning Hearing Board of North Annville Twp. will meet in public session, on Tue. Feb 6, 2024 @ 6:30 p.m. in the Union Water Works bldg 2875 Water Works Way, Annville, 17003, to hear a petition for variance from Annville Associates, 10 Nathan Ln. Annville, Pa 17003, GPIN# 25:2306286-363753. The property is in the C General Commercial Zoning District. Petitioner seeks approval to exceed the allowable lot coverage. Variance is sought to Section 404.3 of the North Annville Township Zoning Ordinance, Questions and concerns may contact LCPD @ 228-4444.



Lebanon County Planning Department



Lebanon Daily News
8th & Poplar Streets
Lebanon, PA 17042

Please publish the attached public notice(s) for:

- 1) Annville Associates

on the following date(s). The heading should be typed in **Bold** and the contents should be typed in regular type (non-bold).

- 1) Tuesday January 23rd , 2023
- 2) Tuesday January 30th , 2023

Please invoice the Lebanon County Planning Department at the address below and forward proof of publication with the billing. Please forward the proof prior to the date of the hearing referenced in the advertisement.

Thank you for your time in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Janelle Deitz".

Janelle Deitz
Secretary

Lebanon Daily News

PART OF THE USA TODAY NETWORK

Publication Cost: \$138.48

Ad No: 0005874324

of Affidavits 1

Customer No: 1427482

LEBANON COUNTY PLANNING
400 SOUTH 8 TH STREET ROOM 206

LEBANON, PA 17042

This is not an invoice

Affidavit of Publication

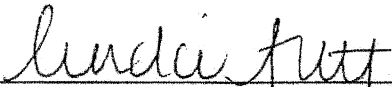
Proof of Publication State of Pennsylvania

The Lebanon Daily News is the name of the newspaper(s) of general circulation published continuously for more than six months at its principle place of business, 718 Poplar Street, Lebanon, PA.

The printed copy of the advertisement hereto attached is a true copy, exactly as printed and published, of an advertisement printed in the regular issues of the said The Lebanon Daily News published in the editions dated on the following dates, viz:

Editions Dated: 01/23/2024, 01/30/2024

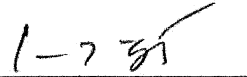
I, being first duly sworn upon oath depose and say that I am a legal clerk and employee of The Lebanon Daily News and have personal knowledge of the publication of the advertisement mentioned in the foregoing statement as to the time, place and character of publications are true, and that the affiant is not interested in the subject matter of the above mentioned advertisement.



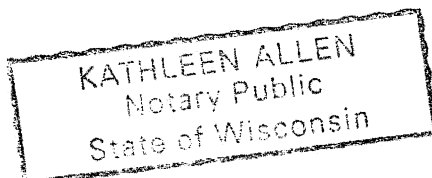
Subscribed and sworn to before on January 30, 2024:



Notary, State of Wisconsin, County of Brown



My commission expires

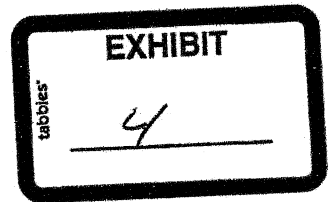


NOTICE OF PUBLIC HEARING

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NORTH ANNVILLE TOWNSHIP

Mailing List Case #



SUPERVISORS

Randy Leisure
1689 N. Route 934
Annville, PA 17003

Clyde Meyer
1600 Church Avenue
Annville, PA 17003

Adam D. Wolfe
1655 N. Route 934
Annville, PA 17003

ZONING HEARING BOARD

James R. Hoffman
3901 Hill Church Road
Lebanon, PA 17042

Paul Deshong
1702 Blacks Bridge Rd.
Annville, PA 17003

Gary Tshudy
575 Hostetter Ln
Annville, PA 17003

SOLICITOR

Paul Bametzreider
1601 Cornwall Rd.
Lebanon, Pa 17042

ZHB SOLICITOR

Roberta Santiago
937 Willow St.
Lebanon, PA 17042

ZHB ALTERNATE

Eric Brummer
1735 Thompson Ave
Lebanon, PA 17046

PLANNING COMMISSION

Charles Bomgardner
409 Clear Spring Rd.
Annville, PA 17003

Benjamin Bow
100 Clear Spring Rd.
Annville, PA 17003

Brian Keck
280 Clear Spring Rd.
Annville, PA 17003

Randy Leisure
1689 N. Route 934
Annville, PA 17003

Nelson Heagy
1819 Thompson Avenue
Lebanon, PA 17046

PETITIONER(S)

Nelson Heagy
1819 Thompson Avenue
Lebanon, PA 17046

Clyde Meyer
1600 Church Ave.
Annville, PA 17003

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Annville, PA 17003

Brian Keck
280 Clear Spring Rd
Annville, Pa 17003

ANNVILLE ASSOCIATES LP
10 NATHAN LN
ANNVILLE, PA 17003-6504

M & G REALTY INC
2295 C SUSQUEHANNA TRAIL
YORK, PA 17404-8495

WELLSPAN PROPERTIES INC
PO BOX 2767
YORK, PA 17405-2767

H R WEAVER FAMILY REALTY LP
47 PALMYRA BELLEGROVE RD
ANNVILLE, PA 17003-9110

EXEL INC
360 WESTAR BLVD
WESTERVILLE, OH 43082-7627

EXHIBIT

5

**NOTICE OF HEARING
BEFORE THE
ZONING HEARING BOARD**

A public hearing will be held for the purpose of receiving public comments on the proposed rezoning of the property located at 10000 S. 100th St., Omaha, Nebraska. The hearing will be held on the date and at the location specified below. The hearing will be held in person at the location specified below. The hearing will be held on the date and at the location specified below. The hearing will be held in person at the location specified below.

PLACE: 10000 S. 100th St., Omaha, Nebraska

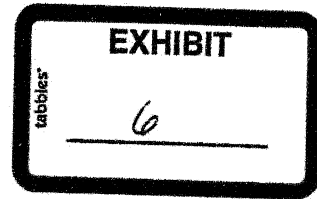
DATE: Tue, Feb 6, 2024

Request for Public Comment:

Interested parties may contact the Lebanon County Planning Department at 274.2601 Ext. 2229 to review the proposed rezoning and to request to attend the hearing and shall have the opportunity to be heard.

POSTED 01/29/2024





VARIANCE CRITERIA

The Pennsylvania Municipal Planning Code allows a Zoning Hearing Board to potentially grant a variance (relief to a regulation) provided that all of the following findings are made where relevant in a given case:

- 1) That there are unique circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
- 2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- 3) That such unnecessary hardship has not been created by the appellant.
- 4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- 5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

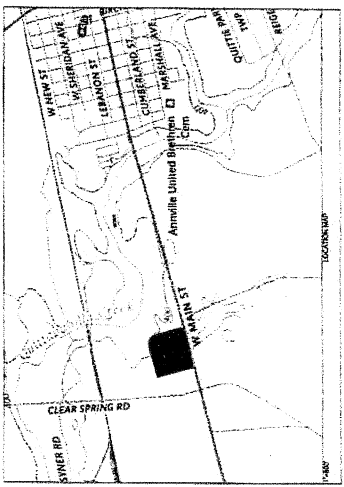
In granting any variance, the board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance.

I hereby acknowledge that I have read and understand the above criteria.

JS Scott Weaver

Signature of Appellant/Petitioner

ZONING VARIANCE PLAN FOR ANNVILLE ASSOCIATES - 10 NATHAN LANE NORTH ANNVILLE TOWNSHIP, LEBANON COUNTY, PA OCTOBER 16, 2023



CONSIDERATIONS: ANNVILLE ASSOCIATES, INC. HAS APPLIED FOR A ZONING VARIANCE TO CONDUCT BUSINESS AS USUAL AT THE PROJECT SITE. THE VARIANCE IS REQUESTED TO ALLOW THE PROJECT TO BE DEVELOPED AS A COMMERCIAL BUSINESS AS USUAL (C.B.U.) ZONE, WHICH IS A ZONING DISTRICT THAT IS NOT CURRENTLY ZONED FOR THIS USE. THE VARIANCE IS REQUESTED TO ALLOW THE PROJECT TO BE DEVELOPED AS A COMMERCIAL BUSINESS AS USUAL (C.B.U.) ZONE, WHICH IS A ZONING DISTRICT THAT IS NOT CURRENTLY ZONED FOR THIS USE.

PROPOSED DATA: PROJECT SITE: 10 NATHAN LANE, ANNVILLE, PA 17003. PROJECT AREA: 1.5 ACRES. PROJECT TYPE: COMMERCIAL BUSINESS AS USUAL (C.B.U.). PROJECT OWNER: ANNVILLE ASSOCIATES, INC.

EXISTING DATA: PROJECT SITE: 10 NATHAN LANE, ANNVILLE, PA 17003. PROJECT AREA: 1.5 ACRES. PROJECT TYPE: COMMERCIAL BUSINESS AS USUAL (C.B.U.). PROJECT OWNER: ANNVILLE ASSOCIATES, INC.

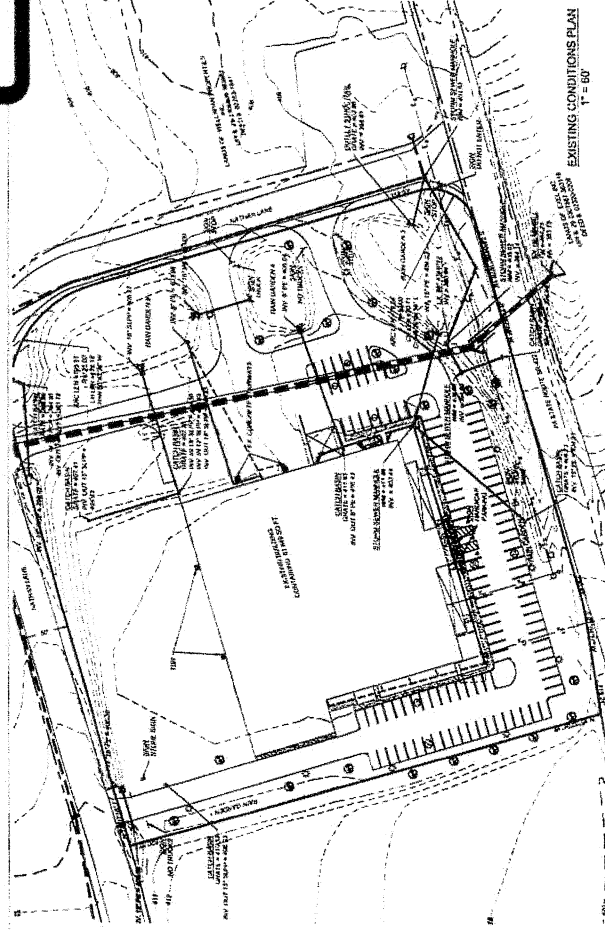
CONCLUSION: THE ZONING BOARD HAS REVIEWED THE VARIANCE APPLICATION AND HAS DETERMINED THAT THE VARIANCE IS IN THE BEST INTERESTS OF THE COMMUNITY AND SHOULD BE GRANTED.

RECOMMENDATION: THE ZONING BOARD RECOMMENDS THAT THE VARIANCE BE GRANTED TO ALLOW THE PROJECT TO BE DEVELOPED AS A COMMERCIAL BUSINESS AS USUAL (C.B.U.) ZONE.

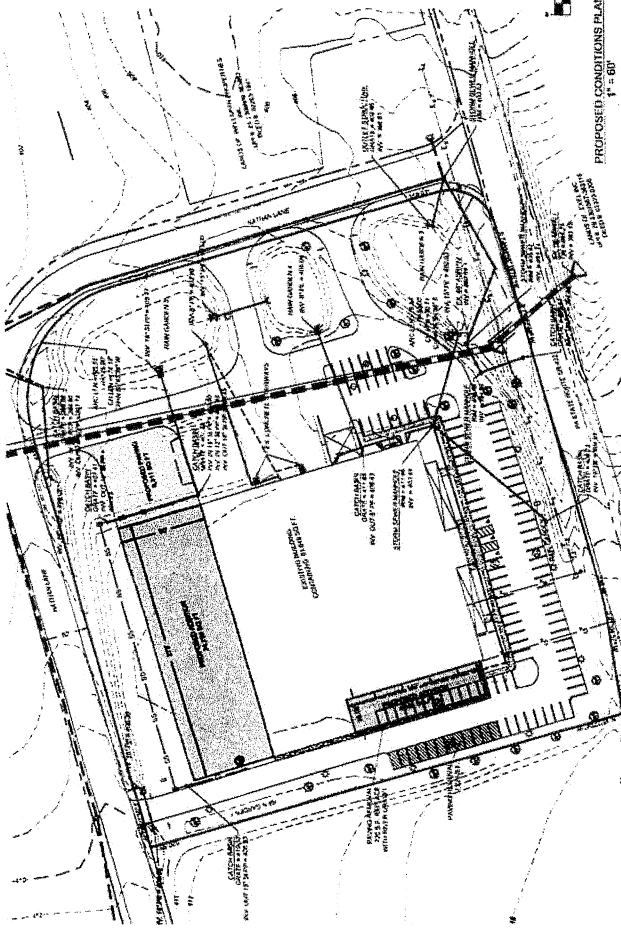
APPROVED: [Signature] ZONING BOARD MEMBER

DATE: OCTOBER 16, 2023

ANNVILLE ASSOCIATES - 10 NATHAN LANE ZONING VARIANCE PLAN. Includes a logo for Annville Associates and a graphic scale bar showing 0, 10, 20, 30, 40, 50 feet.



EXISTING CONDITIONS PLAN T = 80'



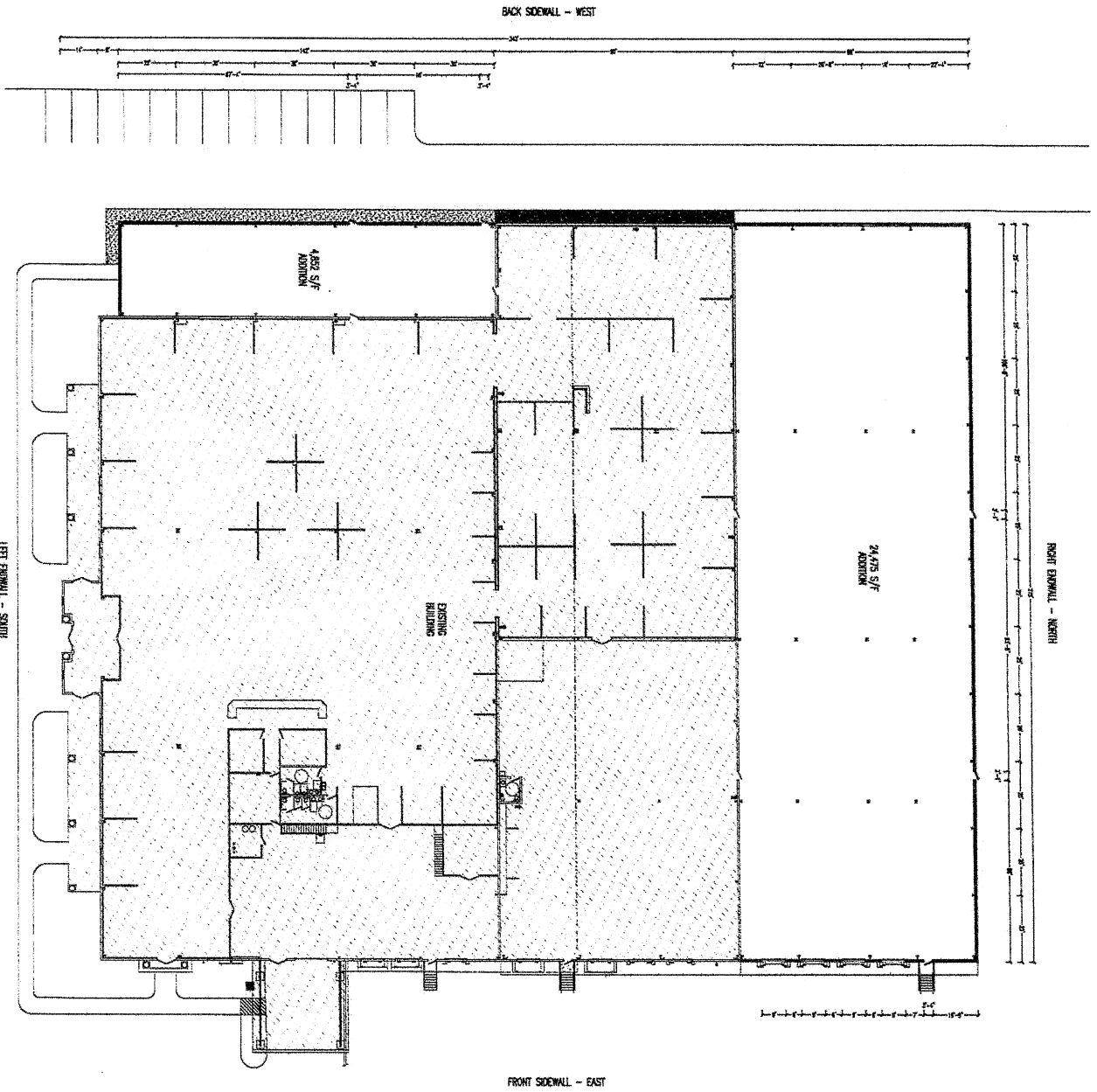
PROPOSED CONDITIONS PLAN T = 80'

- LEGEND: Symbols for existing structures, proposed structures, parking, and other site features.

- PROPOSED DATA: Project details including site address, area, and owner information.

- EXISTING DATA: Current site details including address, area, and owner information.

CONCLUSION and RECOMMENDATION sections, including the Zoning Board member's signature and approval date.



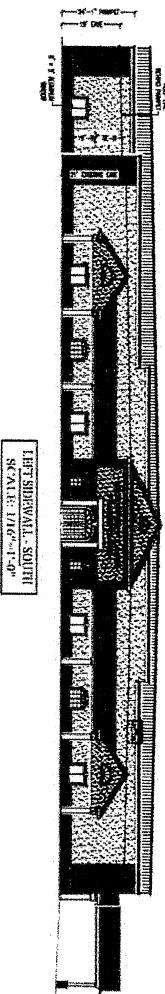
LEFT SIDEWALL - SOUTH
 FLOOR PLAN
 SCALE: 1/8" = 1'-0"

A.1

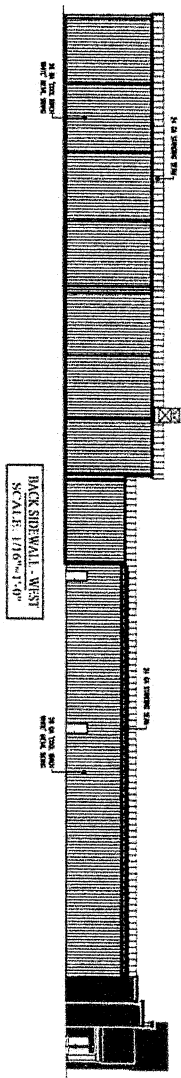
DATE: 02/20/2020	PROJECT: COUNTRY LANE FURNITURE
DRAWN BY: J. HOOVER	CHECKED BY: J. HOOVER
SCALE: 1/8" = 1'-0"	DATE: 02/20/2020
THIS DRAWING IS THE PROPERTY OF HOOPER BUILDING SPECIALISTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HOOPER BUILDING SPECIALISTS.	

COUNTRY LANE FURNITURE
 19 NATHAN LANE, ANNVILLE, PA 17603
 NORTH ANNVILLE TOWNSHIP - LEBANON COUNTY

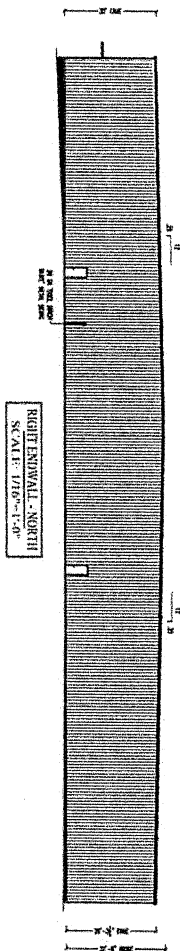
HOOVER
 BUILDING SPECIALISTS
 PHONE: 717-771-4248 FAX: 717-771-4248



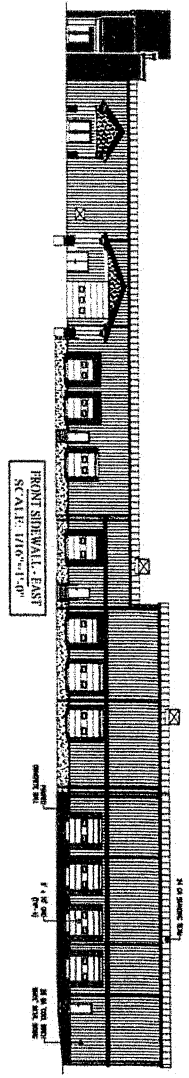
LEFT SIDEWALL - SOUTH
SCALE: 1/16"=1'-0"



BACK SIDEWALL - WEST
SCALE: 1/16"=1'-0"



RIGHT SIDEWALL - NORTH
SCALE: 1/16"=1'-0"



FRONT SIDEWALL - EAST
SCALE: 1/16"=1'-0"

A.2

ALL DIMENSIONS UNLESS OTHERWISE NOTED.
CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

DATE: 10/05/23
DRAWN BY: JMM
CHECKED BY: JMM
ELEVATIONS

COUNTRY LANE FURNITURE
10 NATHAN LANE, ANNVILLE, PA 17003
SOUTH ANNVILLE TOWNSHIP - LEBANON COUNTY

HOOVER BUILDING SPECIALISTS
PHONE: 717-273-0266 FAX: 717-273-4266



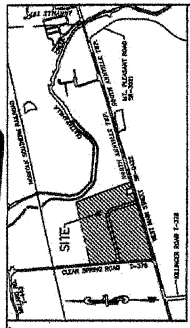
PRELIMINARY/FINAL LAND SUBDIVISION & LAND DEVELOPMENT PLAN for Infrastructure Improvements CLEAR SPRING CROSSING DEVELOPMENT H.R. WEAVER FAMILY REALTY, L.P. AND PRELIMINARY/PHASE 1 FINAL LAND DEVELOPMENT PLAN of Lot 1

for Equitable Owner ANNVILLE ASSOCIATES L.P. SITUATED IN NORTH ANNVILLE TOWNSHIP LEBANON COUNTY, PA.

PLAN NOTES 1. THE PLAN IS A PRELIMINARY PLAN... 2. THE PLAN IS SUBJECT TO THE APPROVAL OF THE LEBANON COUNTY PLANNING DEPARTMENT... 3. THE PLAN IS SUBJECT TO THE APPROVAL OF THE LEBANON COUNTY BOARD OF ZONING AND PLANNING... 4. THE PLAN IS SUBJECT TO THE APPROVAL OF THE LEBANON COUNTY BOARD OF ZONING AND PLANNING...

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OVERALL SITE ZONING REQUIREMENTS ZONED R-100 SINGLE-FAMILY RESIDENTIAL... 1. THE SITE IS ZONED R-100... 2. THE SITE IS ZONED R-100... 3. THE SITE IS ZONED R-100... 4. THE SITE IS ZONED R-100...

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DRAWING INDEX table with columns for drawing number, description, and date.

PROPERTY INFORMATION table with columns for owner, address, and other details.

13. THE SITE IS ZONED R-100... 14. THE SITE IS ZONED R-100... 15. THE SITE IS ZONED R-100... 16. THE SITE IS ZONED R-100... 17. THE SITE IS ZONED R-100... 18. THE SITE IS ZONED R-100...

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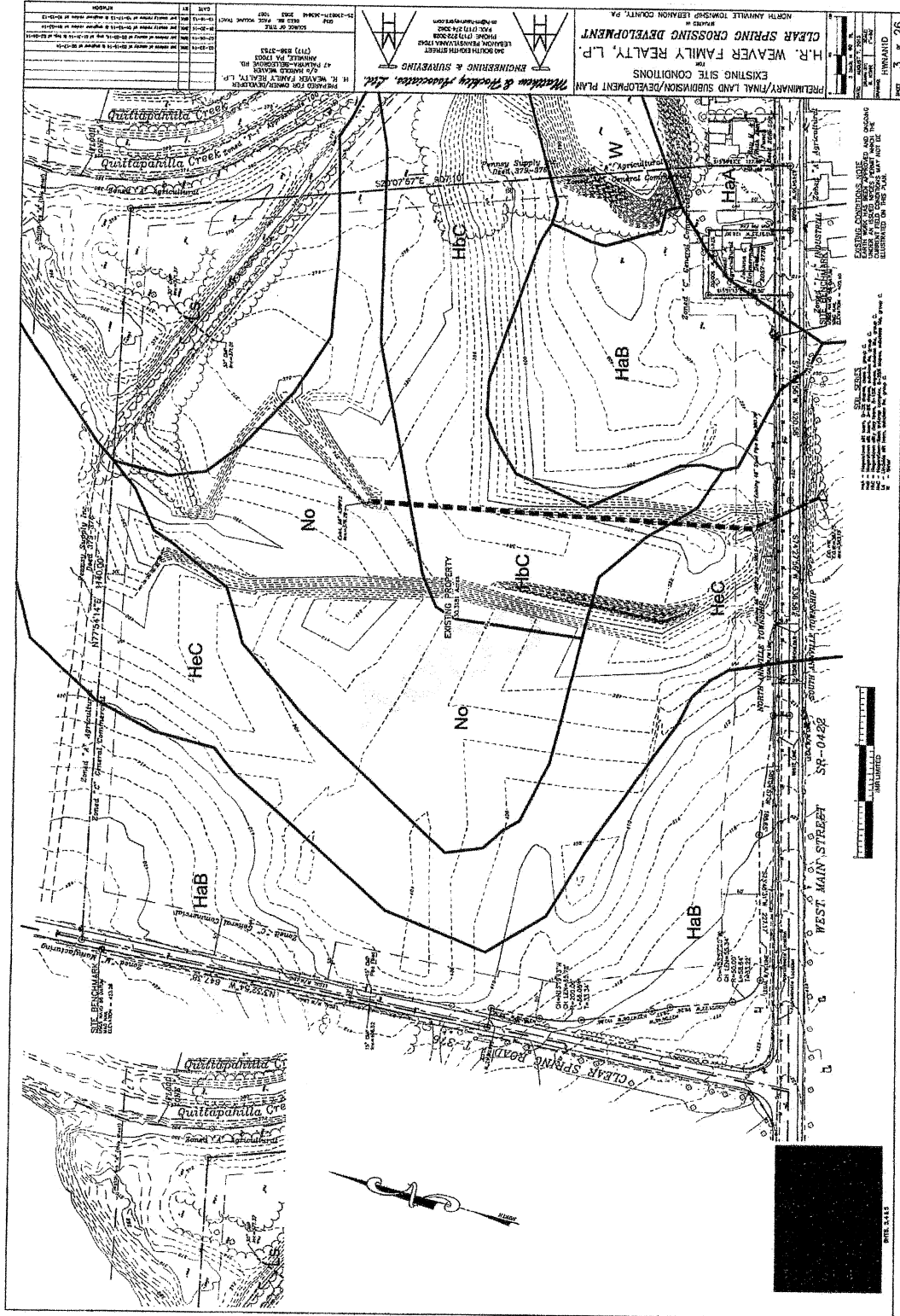
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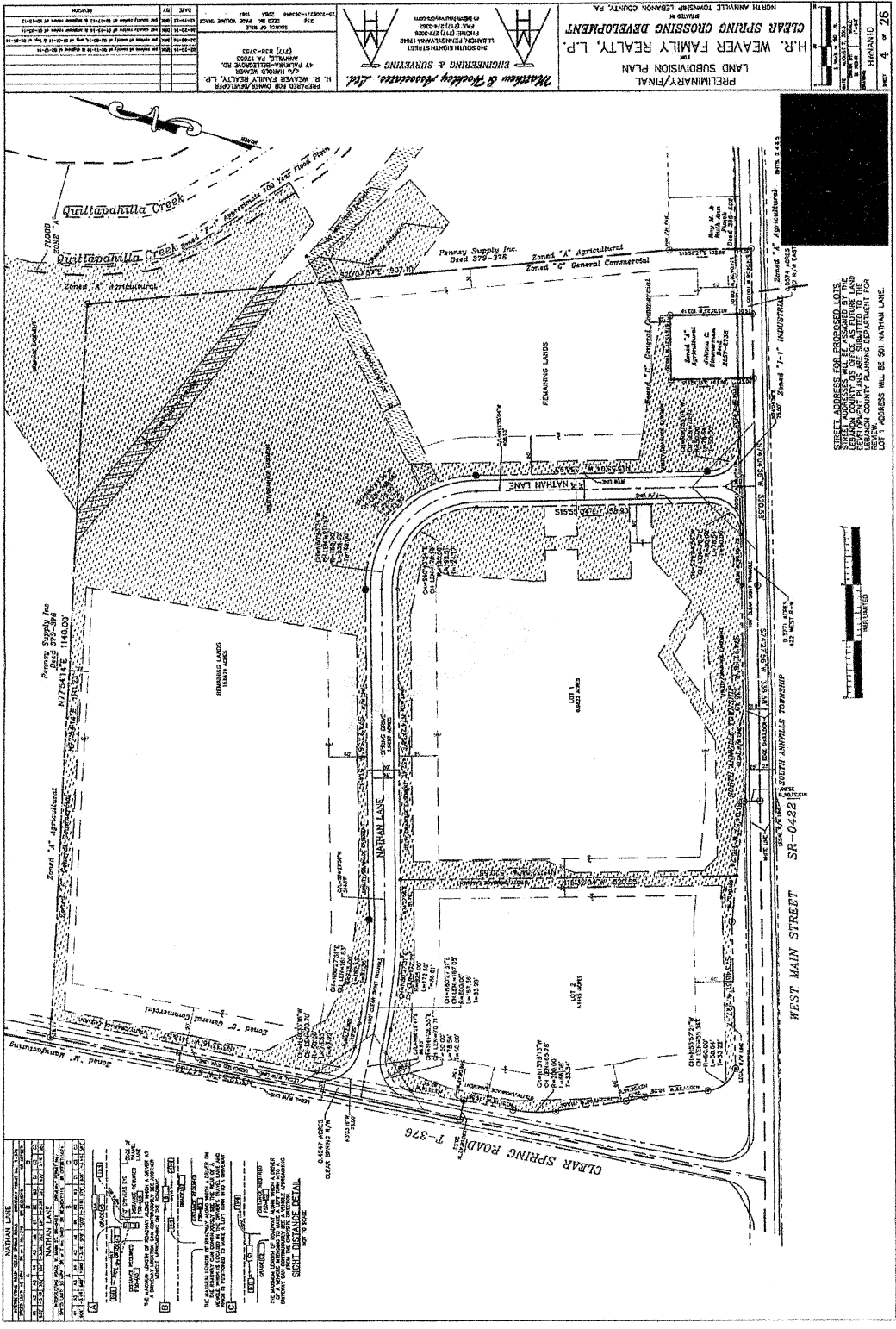
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PLAN 60 Top 135



37 C 2
 UNLIMITED
 NORTH ANNETTE TOWNSHIP LEHIGH COUNTY, PA
H.R. WEAVER FAMILY REALTY, L.P.
 CLEAR SPRING CROSSING DEVELOPMENT
 EXISTING SITE CONDITIONS
 PRELIMINARY/FINAL LAND SUBDIVISION/DEVELOPMENT PLAN
Matthew & Rockley Associates, LLC
 ENGINEERING & SURVEYING
 LEHIGH COUNTY/DADE COUNTY
 340 SOUTH 8TH STREET
 SUITE 200
 LEHIGH, PA 18120-3000
 P.O. # 171 274 3002
 (610) 782-1000
 www.mra-llc.com

NO.	DATE	DESCRIPTION
01	02/07/13	ISSUED FOR PERMITTING
02	03/15/13	ISSUED FOR PERMITTING
03	04/23/13	ISSUED FOR PERMITTING
04	05/21/13	ISSUED FOR PERMITTING
05	06/19/13	ISSUED FOR PERMITTING
06	07/17/13	ISSUED FOR PERMITTING
07	08/15/13	ISSUED FOR PERMITTING
08	09/13/13	ISSUED FOR PERMITTING
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93	03/04/20	ISSUED FOR PERMITTING
94	04/01/20	ISSUED FOR PERMITTING
95	05/01/20	ISSUED FOR PERMITTING
96	05/29/20	ISSUED FOR PERMITTING
97	06/26/20	ISSUED FOR PERMITTING
98	07/24/20	ISSUED FOR PERMITTING
99	08/21/20	ISSUED FOR PERMITTING
100	09/18/20	ISSUED FOR PERMITTING



DATE	DESCRIPTION	BY
10-20-11	FINAL PLAN FOR THE CLEAR SPRING CROSSING DEVELOPMENT	MJP
10-05-11	REVISION TO FINAL PLAN FOR THE CLEAR SPRING CROSSING DEVELOPMENT	MJP
09-15-11	PRELIMINARY PLAN FOR THE CLEAR SPRING CROSSING DEVELOPMENT	MJP
08-15-11	PRELIMINARY PLAN FOR THE CLEAR SPRING CROSSING DEVELOPMENT	MJP

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08-15-11	PRELIMINARY PLAN FOR THE CLEAR SPRING CROSSING DEVELOPMENT	MJP

STREET ADDRESS FOR PROPOSED LOTS:
 STREET ADDRESSES WILL BE ASSIGNED BY THE DEVELOPER.
 DEVELOPMENT PLANS ARE SUBMITTED TO THE LEBANON COUNTY PLANNING DEPARTMENT FOR REVIEW.
 LOT 1 ADDRESS WILL BE 301 NATHAN LANE.

Scale: 1" = 100'

North Arrow

LEGEND:

--- SURVEYED BOUNDARY LINE

--- UNADJUSTED BOUNDARY LINE

--- ADJUSTED BOUNDARY LINE

--- UNADJUSTED COURSE

--- ADJUSTED COURSE

--- RIGHT OF WAY

--- RIGHT OF WAY

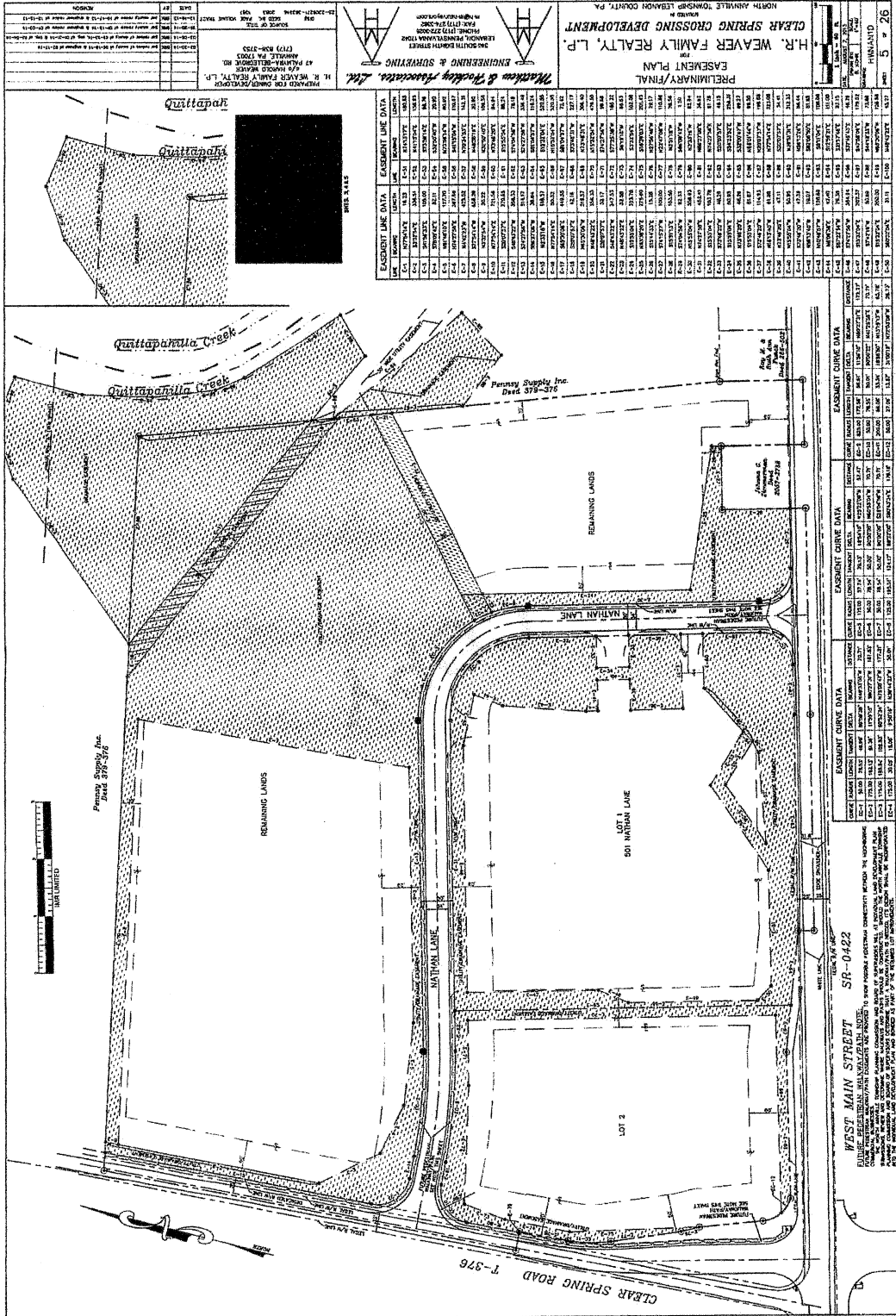
--- RIGHT OF WAY

--- RIGHT OF WAY

--- RIGHT OF WAY

Sheet 4 of 26

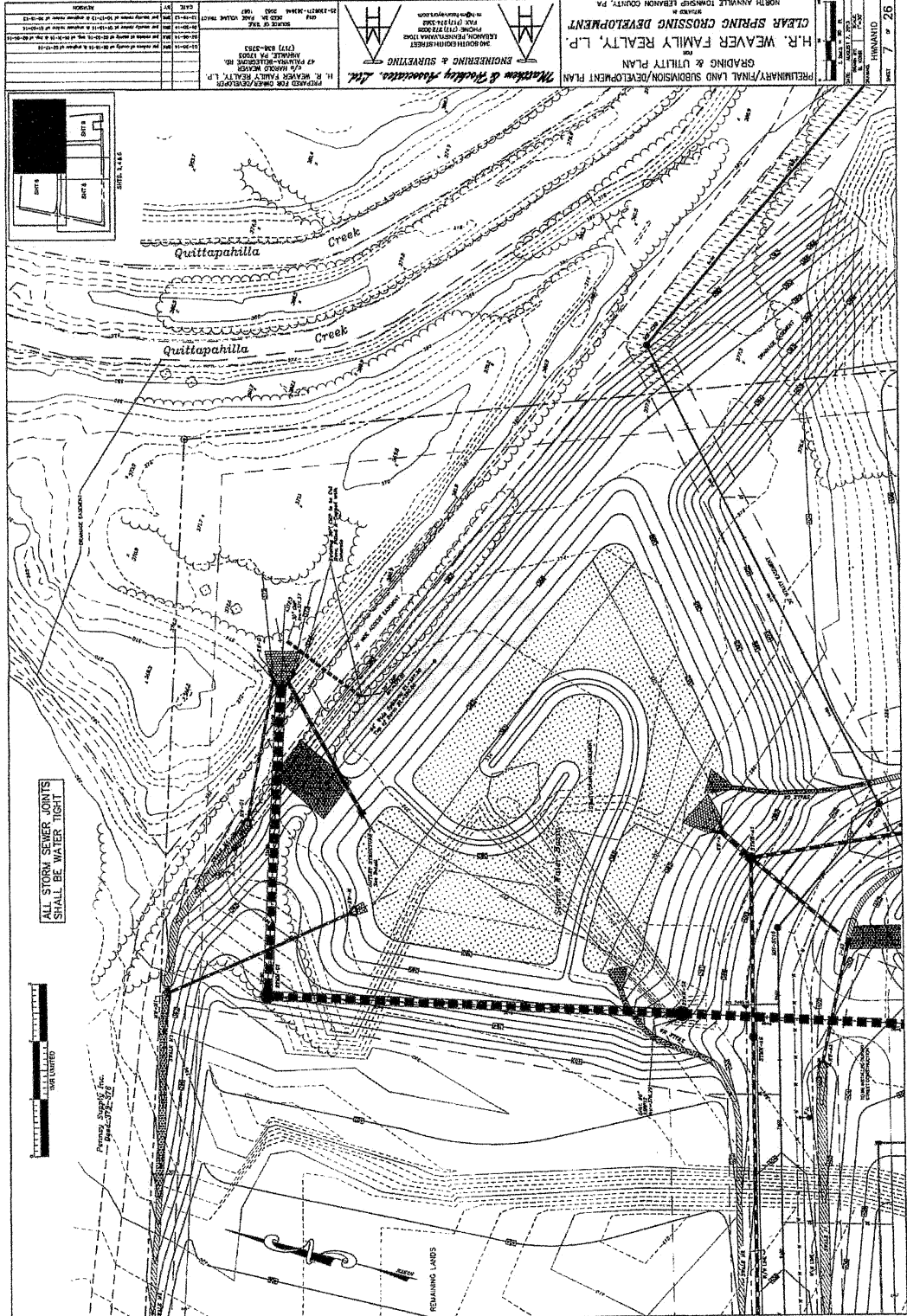
HW:MDM



PRELIMINARY/FINAL EASEMENT PLAN
H.R. WEAVER FAMILY REALTY, L.P.
CLEAR SPRING CROSSING DEVELOPMENT
 NORTH JAYVILLE TOWNSHIP, LEANING COUNTY, PA.
 PREPARED FOR: H.R. WEAVER FAMILY REALTY, L.P.
 43 HANCOCK WALKER
 405 JONESVILLE ROAD
 HANCOCK, PA 17033
 (717) 838-3755
Mackinnon & Neukirch Associates, Ltd.
ENGINEERING & SURVEYING
 240 SOUTH BENTLEY STREET
 HANCOCK, PA 17033
 (717) 838-3755
 DATE: 04/22/2022
 SHEET NO: 156 OF 156
 SCALE: AS SHOWN

PLAN 80 Page 15.7





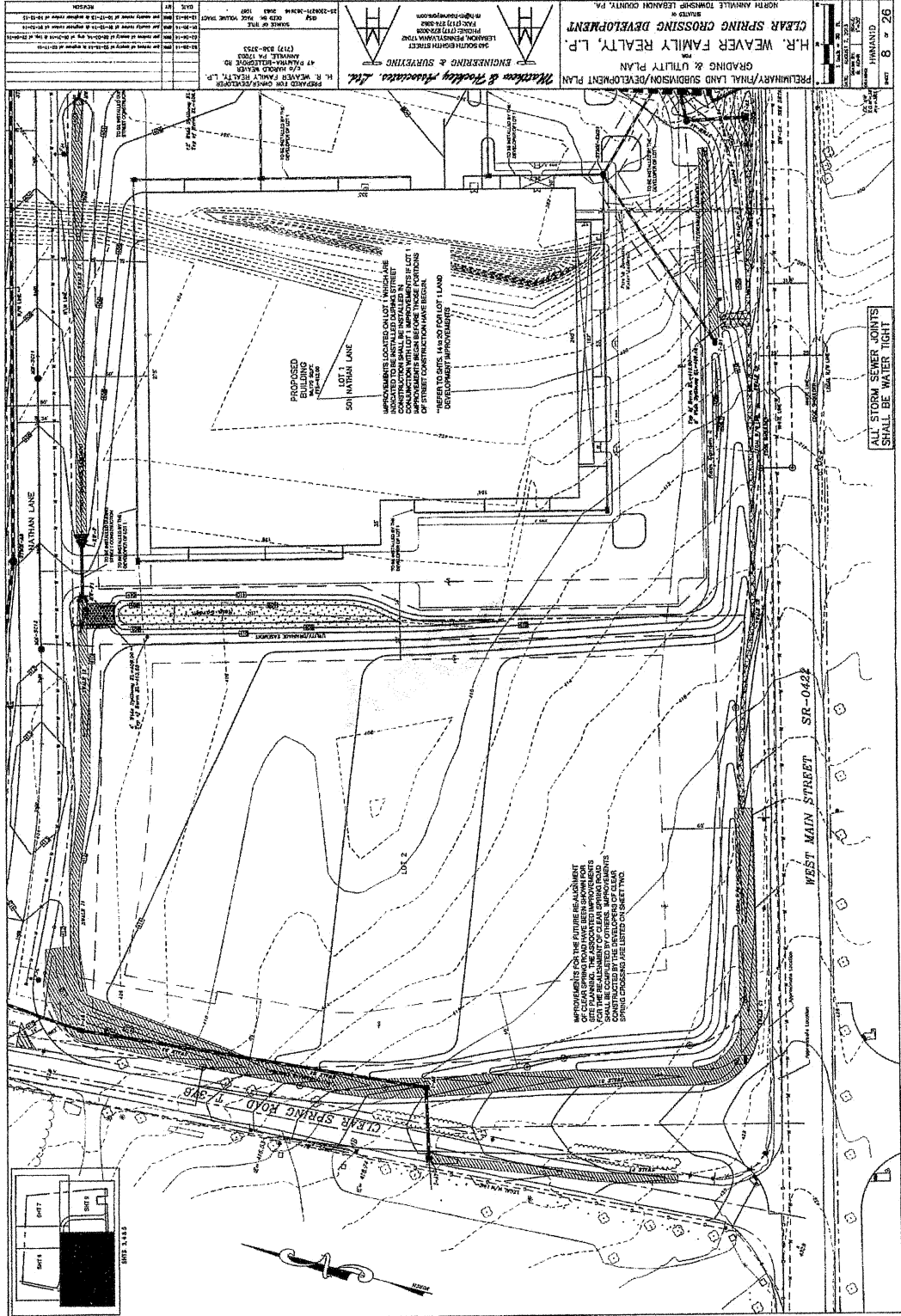
ALL STORM SEWER JOINTS SHALL BE WATER TIGHT

REMAINING LINES UNLIMITED

Markon & Rockley Associates, Ltd. ENGINEERING & SURVEYING 240 BOUTWICK STREET PHOENIX, ARIZONA 85016 PHONE: (602) 978-8000 FAX: (602) 978-8001		H.R. WEAVER FAMILY REALTY, L.P. CLEAR SPRING CROSSING DEVELOPMENT NORTH ANNVILLE TOWNSHIP, LEBANON COUNTY, PA.	
PREPARED FOR OWNER/DEVELOPER H.R. WEAVER FAMILY REALTY, L.P.	PREPARED BY H.R. WEAVER FAMILY REALTY, L.P.	DATE: 07/20/04	SHEET NO. 7 OF 26

PLAN BOX 80 PPT. 1589

PLAN SHEET NO. 159



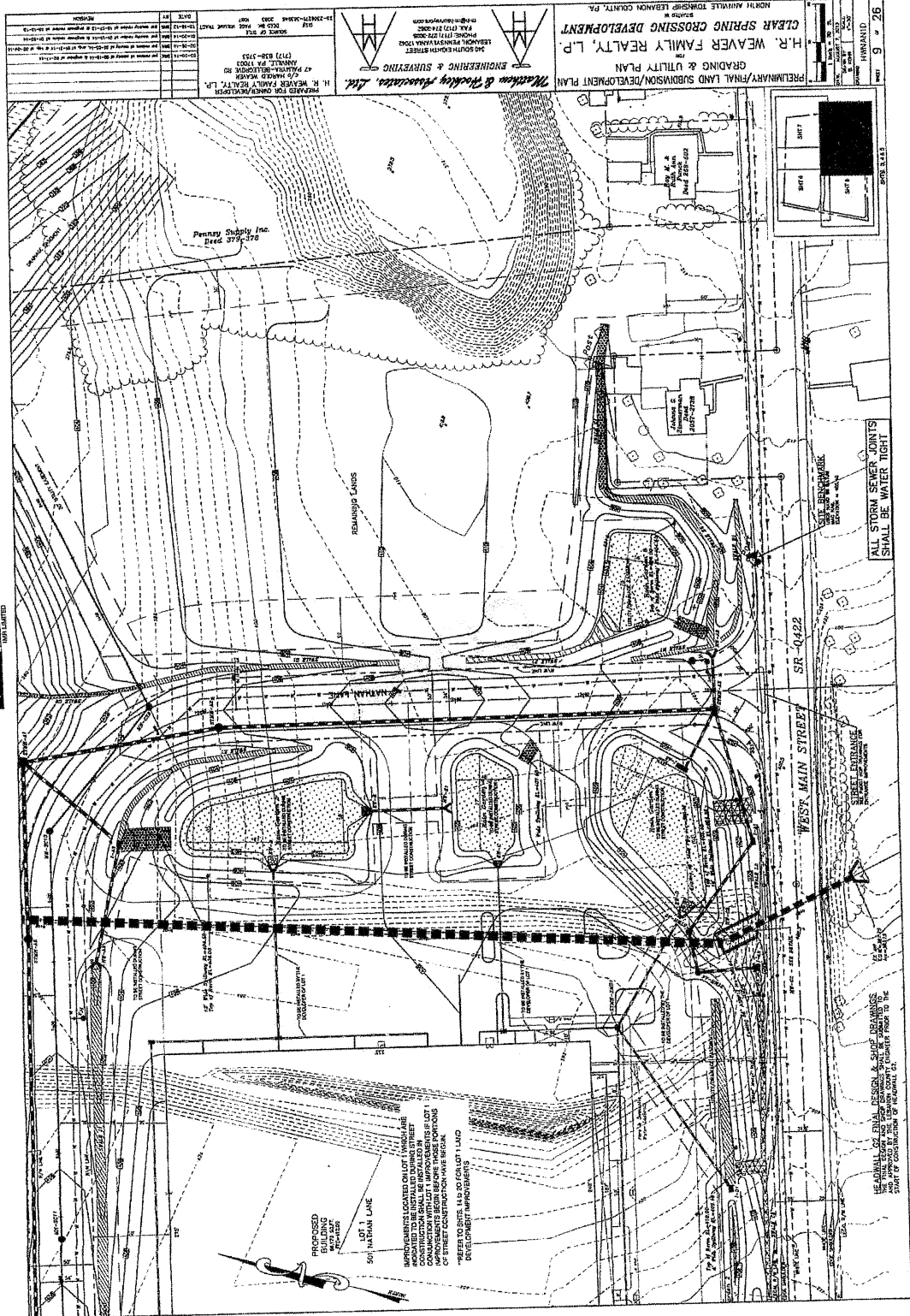
PROPOSED BUILDINGS
LOT 1
50' NATION LANE
IMPROVEMENTS LOCATED ON LOT 1, WHICH ARE INDICATED BY THE DOTTED LINE, SHALL BE CONSTRUCTED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF THE IMPROVEMENTS ON LOT 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE COST OF THESE IMPROVEMENTS.

IMPROVEMENTS FOR THE FUTURE ALIGNMENT OF WEST MAIN STREET AND CLEAR SPRING ROAD ARE SHOWN ON THIS PLAN. THE ASSUMED IMPROVEMENTS FOR THE ALIGNMENT OF CLEAR SPRING ROAD CONSIST OF THE DEVELOPMENT OF CLEAR SPRING ROAD AND THE INSTALLATION OF STORM SEWER AND WATER MAINS.

ALL STORM SEWER JOINTS SHALL BE WATER TIGHT

<p>PRELIMINARY/FINAL LAND SUBDIVISION/DEVELOPMENT PLAN GRADING & UTILITY PLAN CLEAR SPRING CROSSING DEVELOPMENT H. R. WEAVER FAMILY REALTY, L.P. NORTH AVENUE TOWNSHIP LEANOR COUNTY, PA.</p>		<p>DATE: 08/14/12 DRAWN BY: J. H. WEAVER CHECKED BY: J. H. WEAVER APPROVED BY: J. H. WEAVER</p>																																	
<p>REVISIONS:</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>01</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>02</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>03</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>04</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>05</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>06</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>07</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>08</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>09</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>10</td> <td>08/14/12</td> <td>ISSUE FOR PERMIT</td> </tr> </table>		NO.	DATE	DESCRIPTION	01	08/14/12	ISSUE FOR PERMIT	02	08/14/12	ISSUE FOR PERMIT	03	08/14/12	ISSUE FOR PERMIT	04	08/14/12	ISSUE FOR PERMIT	05	08/14/12	ISSUE FOR PERMIT	06	08/14/12	ISSUE FOR PERMIT	07	08/14/12	ISSUE FOR PERMIT	08	08/14/12	ISSUE FOR PERMIT	09	08/14/12	ISSUE FOR PERMIT	10	08/14/12	ISSUE FOR PERMIT	<p>PROJECT NO. 12-00001-12-00001-01 SHEET NO. 159 OF 160 TOTAL SHEETS: 160</p>
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<p>MANSON & ROCKLEY SURVEYING, INC. ENGINEERING & SURVEYING 47 MANSON ROAD LEANOR, PA 17033 (717) 836-2700</p>		<p>H. R. WEAVER FAMILY REALTY, L.P. 47 MANSON ROAD LEANOR, PA 17033</p>																																	

PLAN No. 9D No. 140



<p>H.R. WEAVER FAMILY REALTY, L.P. GRADING & UTILITY PLAN PRELIMINARY/FINAL LAND SUBDIVISION/DEVELOPMENT PLAN</p>	<p>H.R. WEAVER FAMILY REALTY, L.P. CLEAR SPRING CROSSING DEVELOPMENT NORTH AVENUE TOWNSHIP, LEBANON COUNTY, PA.</p>
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DATE	NO.	DESCRIPTION
10/24/23	1	PERMITS
10/24/23	2	FOR CONSTRUCTION
10/24/23	3	FOR PERMITS
10/24/23	4	FOR PERMITS

DATE: 10/24/23
 SHEET NO. 9 OF 26
 DRAWING NO. 23-0422-SUB-01

PROPOSED IMPROVEMENTS ON LOT 1 NATHAN LANE
 IMPROVEMENTS COVERED ON LOT 1 NATHAN LANE
 REGRADING TO BE INSTALLED DURING STREET
 CONSTRUCTION WITH LOT 1 IMPROVEMENTS NOT
 TO BE CONSIDERED AS PART OF THE SCOPED
 OF STREET CONSTRUCTION AND WORK.
 SEE TO SITE 140 TO COLLECT LAND
 DEVELOPMENT IMPROVEMENTS

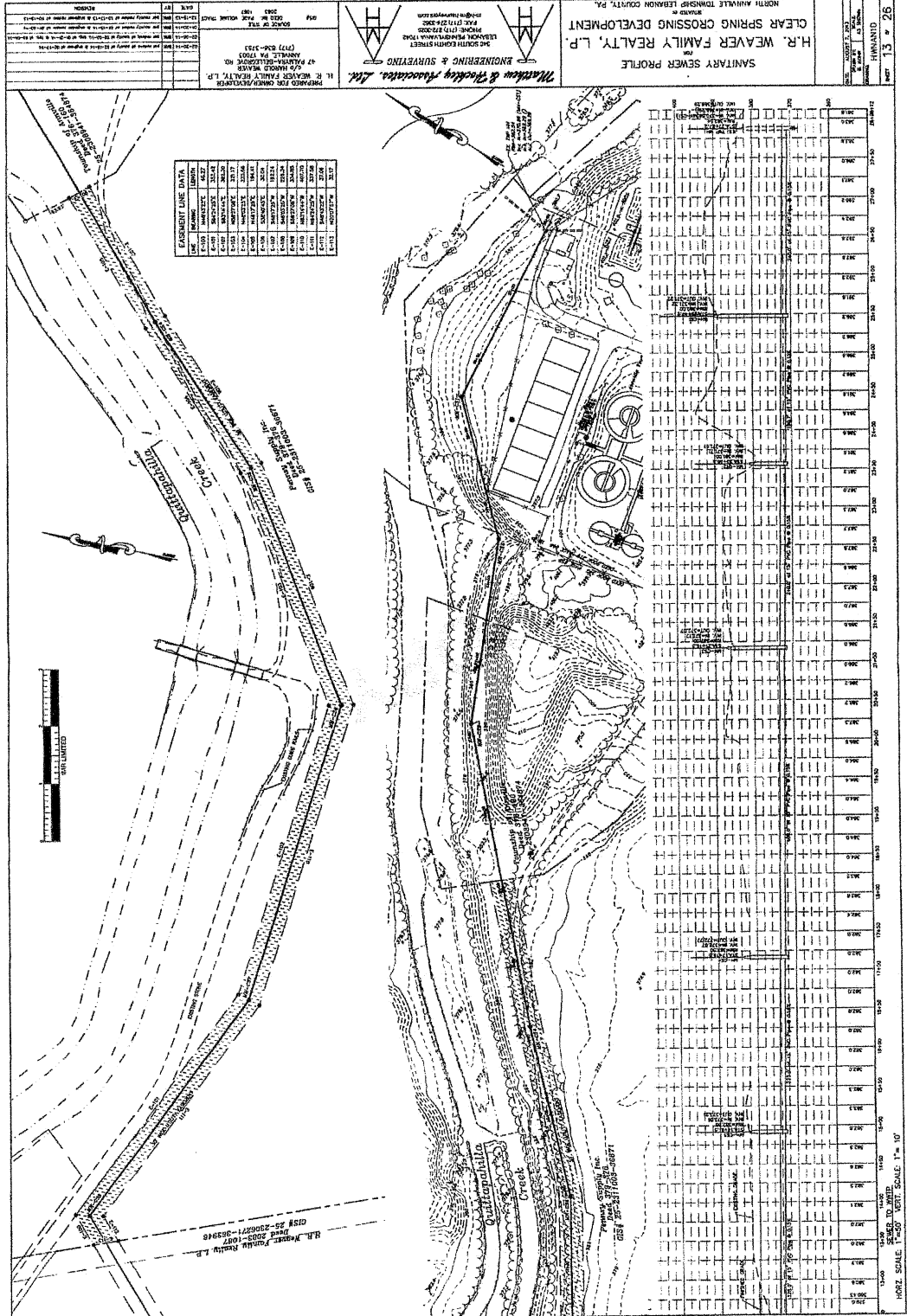
ALL STREET SEWER JOINTS
 SHALL BE WATER TIGHT

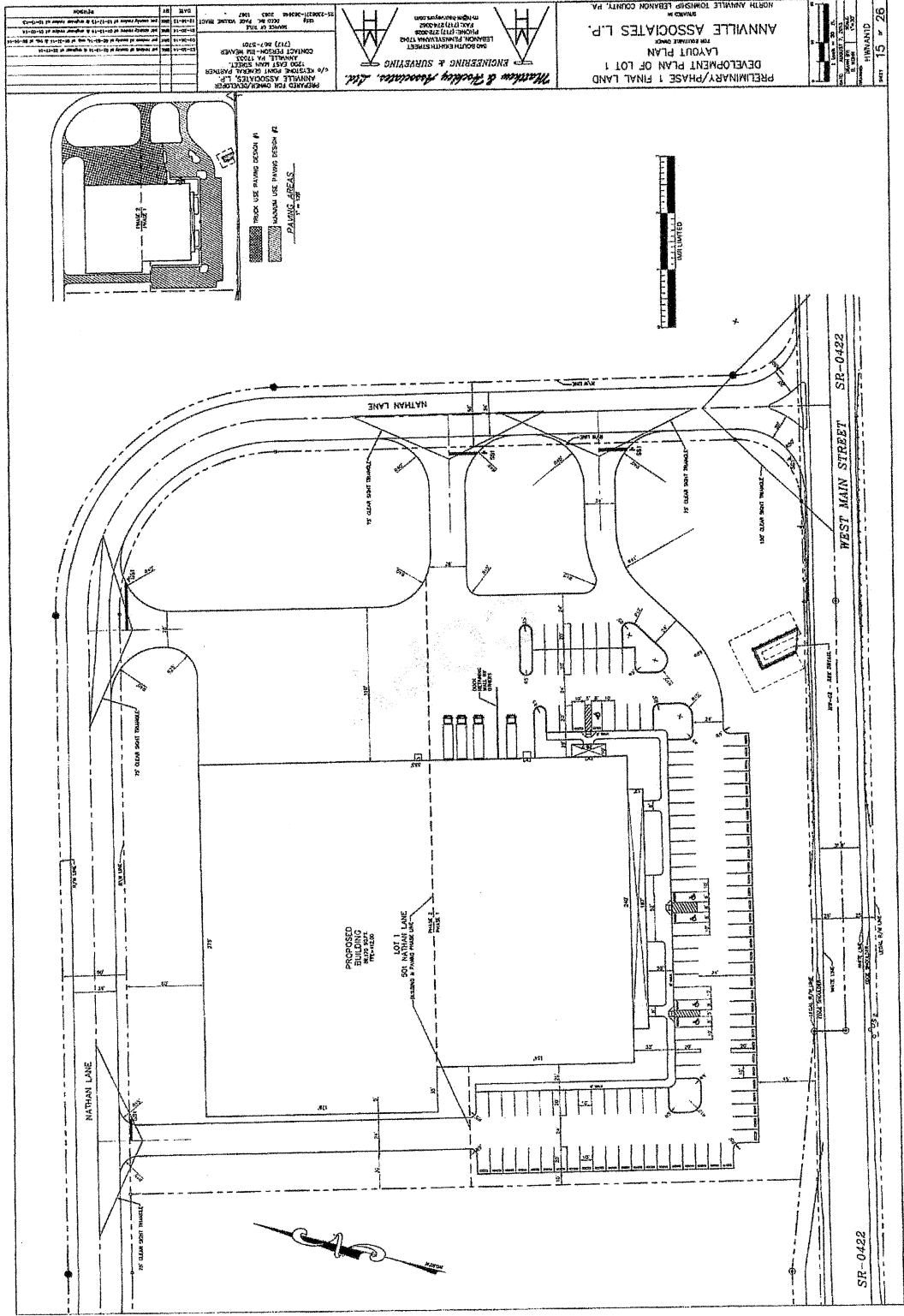
THE ABOVE LOCAL LAW AND ORDINANCES SHALL BE APPLIED TO THE
 PROJECT FROM THE DATE OF THIS PERMIT TO THE
 DATE OF EXPIRATION OF EXISTING C.O.

Matheson & Prokopy Associates, Inc.
 ENGINEERING & SURVEYING
 240 SOUTH BROADWAY STREET
 LEBANON, PENNSYLVANIA 17033
 PHONE: (717) 276-2020
 FAX: (717) 276-2022
 EMAIL: math@mathprokopy.com

H.R. WEAVER FAMILY REALTY, L.P.
 47 PALMERA-LEBANON RD
 HANBLEY, PA 17033
 (717) 838-7533

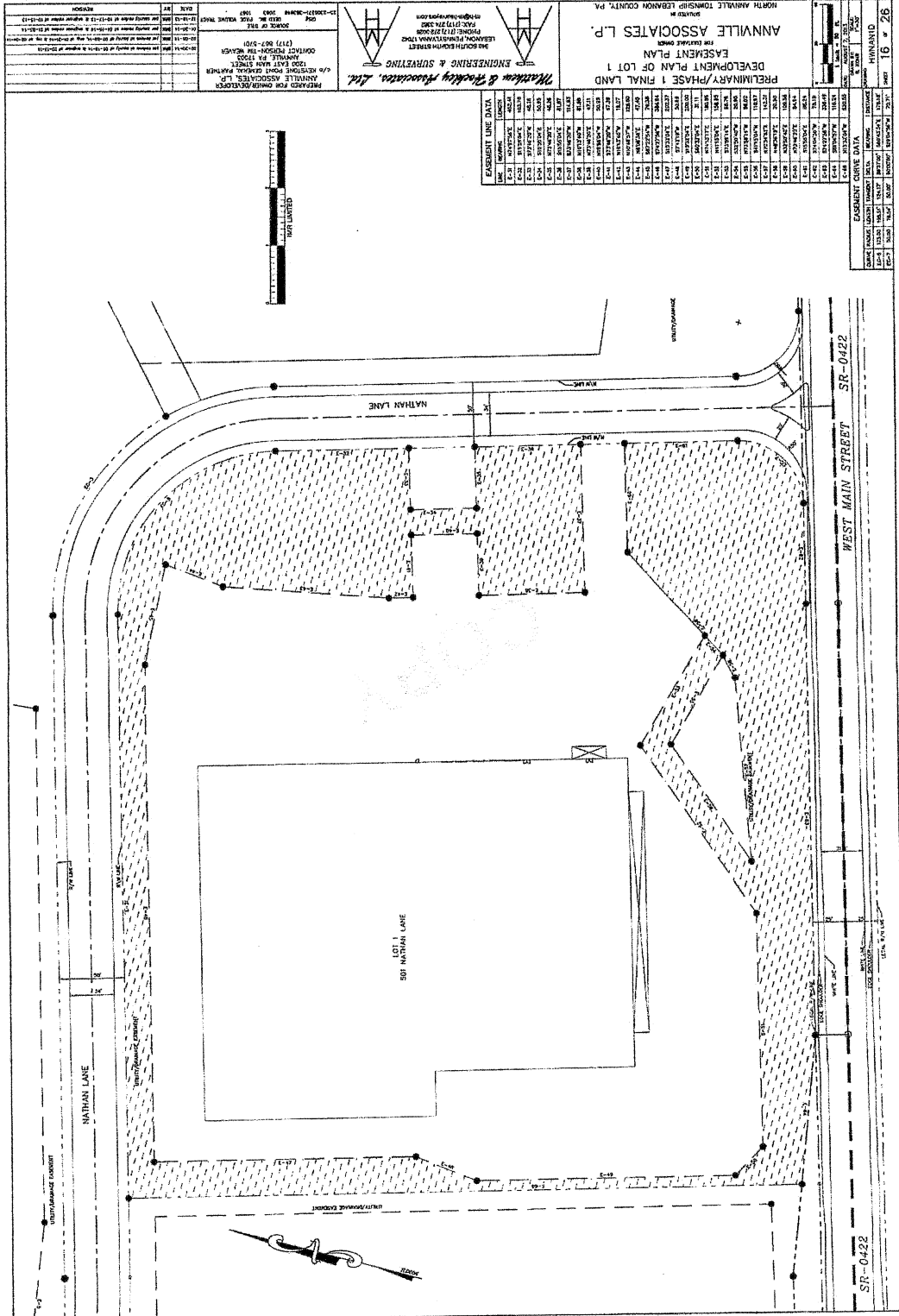
Penny Supply Inc.
 Reed 269-270





PLAN 2nd 6th 1st 1.65

NORTH ANAVILLE TOWNSHIP, LEBANON COUNTY, PA. ANNVILLE ASSOCIATES L.P. PRELIMINARY/PHASE 1 FINAL LAYOUT PLAN OF LOT 1 DEVELOPMENT PROJECT NO. SR-0422	 Harrison & Proctor Associates, Inc. ENGINEERING & SURVEYING 150 SOUTH BENTLEY STREET FRANKFORD, PENNSYLVANIA 17333 PHONE (717) 896-2200 FAX (717) 896-2200	PREPARED FOR OWNER/SUBMITTER ANNAVILLE ASSOCIATES L.P. 1700 EAST MAIN STREET ANNAVILLE, PA. 17003 CONTRACT FROM THE OWNER (717) 896-2200 11-1-2008	DATE: 11-1-2008 SHEET NO. 15 OF 26
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PRELIMINARY/PHASE 1 FINAL LAND EASEMENT PLAN OF LOT 1

ANVILLE ASSOCIATES L.P.

NORTH ANVILLE TOWNSHIP, LEBANON COUNTY, PA.

DATE: 07/27/2006
 PROJECT: 1122-0006
 SHEET: 16 OF 26

Matthew & Trishley Associates, Ltd.
 ENGINEERING & SURVEYING
 345 SOUTH KOPPIN STREET
 LEBANON, PENNSYLVANIA 17042
 PHONE: (717) 272-2000
 FAX: (717) 272-2000
 EMAIL: info@matthew-trishley.com

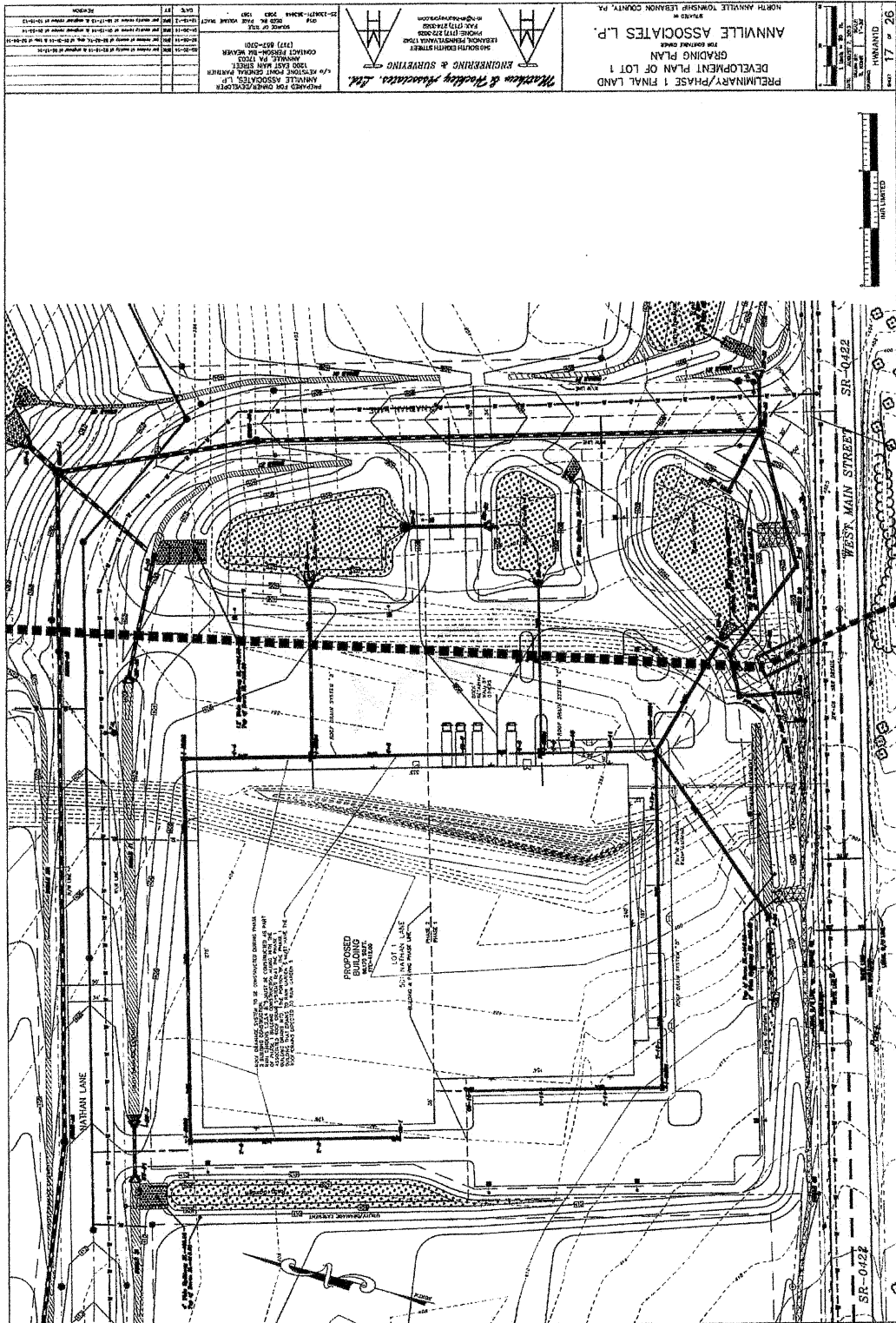
FOR CONTRACT PERSONNEL USE ONLY
 CONTRACT NO. 1122-0006
 SHEET NO. 16 OF 26

ANVILLE ASSOCIATES, L.P.
 1320 EAST MAIN STREET
 LEBANON, PA 17042

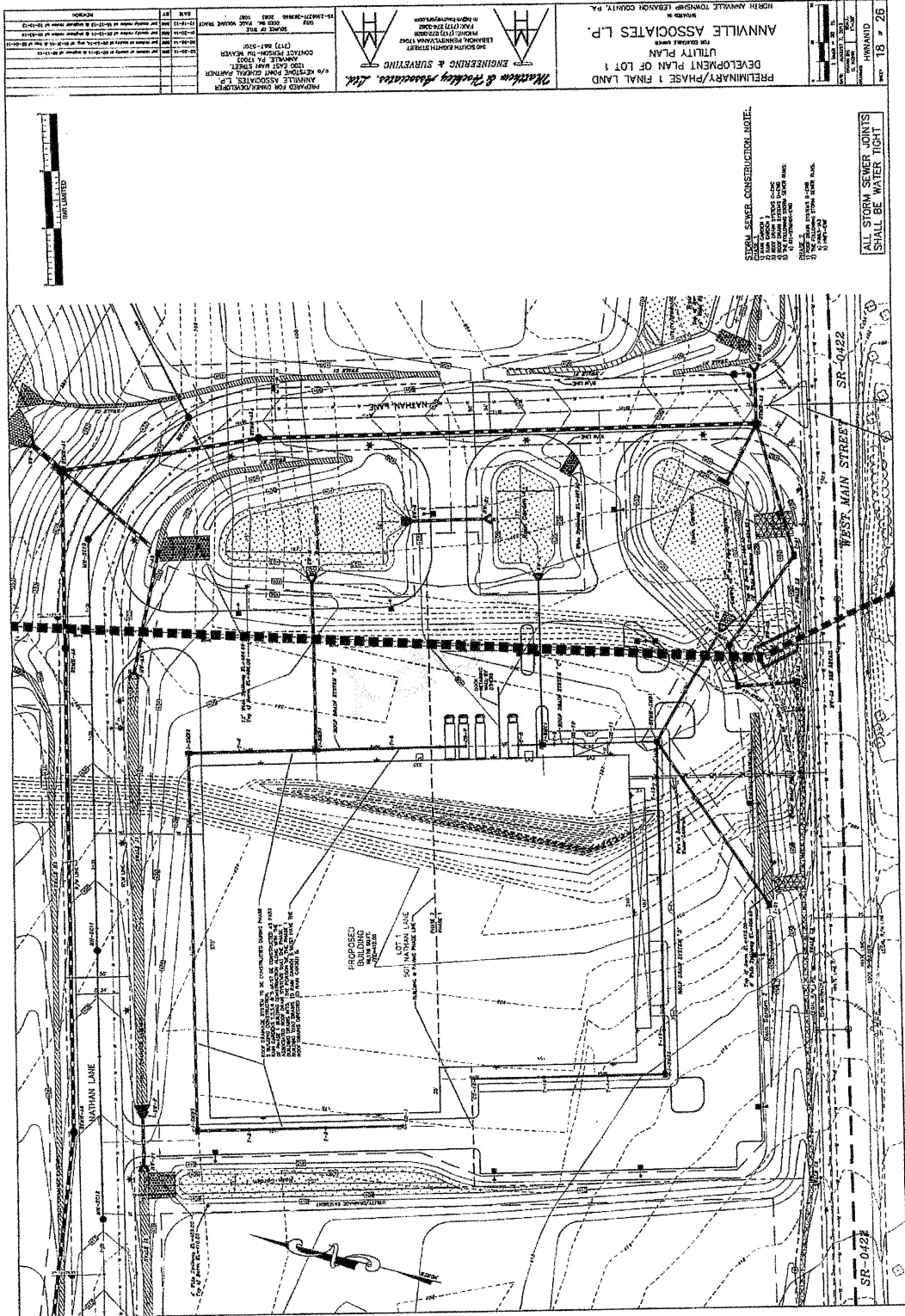
REVISIONS:

NO.	DATE	DESCRIPTION
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PLAN No. 60 Sup. 1-65



PLAN AND 800 Pgs. 1-64





COUNTY OF LEBANON
RECORDER OF DEEDS
Donna J. Lutz, Recorder
400 South 8th Street Room 107
Lebanon, Pennsylvania 17042-6794

Instrument Number - 201410622
Recorded On 9/11/2014 At 2:31:41 PM
* Instrument Type - PLAN-SUBDIVISION
Invoice Number - 251105
* Grantor - WEAVER H R FAMILY REALTY
* Development - CLEAR SPRING CROSSING DEVELOPMENT

Book - 80 Starting Page - 152
* Total Pages - 16

* FEES

STATE WRIT TAX	\$0.50
RECORDING FEES - RECORDER OF DEEDS PARCEL CERTIFICATION FEE	\$69.50
COUNTY ARCHIVES FEE	\$10.00
ROD ARCHIVES FEE	\$2.00
TOTAL PAID	\$3.00
	\$85.00

This is a certification page

DO NOT DETACH

This page is now part
of this legal document.

I hereby CERTIFY that this document is
recorded in the Recorder of Deeds Office
of Lebanon County, Pennsylvania.

Donna J. Lutz
Donna J. Lutz
Recorder of Deeds



* - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.

Book: 80 Page: 167

CERTIFICATE OF COMPLIANCE

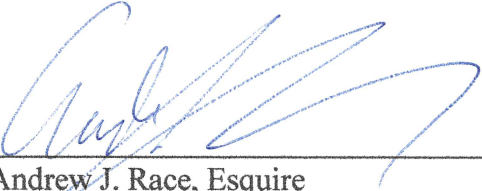
I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: _____
Signature: Andrew J Race
Name: Andrew J Race
Attorney No. (if applicable): 318622

CERTIFICATE OF SERVICE

I, Andrew J. Race, attorney at law at the law offices of Moore Ingram Johnson and Steele LLP, hereby certify that I served a copy of the foregoing Notice of Land Use Appeal upon the following by U.S. First-Class Mail, postage prepaid, on the date below:

Roberta Santiago, Esquire
North Annville Township ZHB
Henry & Beaver, LLP
937 Willow Street, PO Box 1140
Lebanon PA 17042



Andrew J. Race, Esquire

Date: April 11, 2024